

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JENNIFER PEREZ,

Defendant.

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8:09CR146

ORDER

This matter is before the court on the motion to continue by defendant Jennifer Perez (Perez) (Filing No. 18). Perez seeks a continuance of approximately sixty (30) days of the trial of this matter which is scheduled for June 29, 2009. Government's counsel has no objection to the motion. During a hearing on June 3, 2009, Perez informed the court she agreed to the motion and understood the additional time could be excluded under the Speedy Trial Act. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Perez's motion to continue trial (Filing No. 24) is granted.
2. Trial of this matter is re-scheduled for **August 31, 2009**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 4, 2009 and August 31, 2009**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendants' counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 4th day of June, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge